

Application No. 10/667,026
Amendment dated December 20, 2005
Reply to Office Action of October 4, 2005

REMARKS:**Status Of Claims**

Claims 1-44 were previously pending in the application. Claims 1, 10, 11, 18, 23, 33, 34, and 44 have been amended. Thus, claims 1-44 are currently pending in the application with claims 1, 11, 19, 23, 34, and 44 being independent.

Office Action

Applicant would like to thank the Examiner for indicating that claims 19-22 are allowed.

In the Office Action, the Examiner rejected claims 1-3, 5, 10, 23-25, 27, 29, 33-36, and 42-44 under 35 U.S.C. 102(e) as being anticipated by Fujimoto et al., U.S. Patent Application No. 2004/0006423. The Examiner also rejected claim 38 under 35 U.S.C. 103(a) as being unpatentable over Fujimoto. The Examiner also rejected claims 4, 6-9, 11-18, 26, 28, 30-32, 37, 39, and 40 under 35 U.S.C. 103(a) as being unpatentable over Fujimoto in view of Michaelson, U.S. Patent No. 6,734,808. The Examiner also rejected claim 41 under 35 U.S.C. 103(a) as being unpatentable over Fujimoto in view of Michaelson and Horvath et al., U.S. Patent No. 6,473,003. Applicant respectfully submits that the currently pending claims distinguish the present invention from Fujimoto, Michaelson, Horvath, and the other prior art references of record, taken alone or in combination with each other.

Specifically, claims 1, 11, and 23 all recite "receiving one or more preselected

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conditions from a user". Similarly, claim 34 recites "a user interface operatively coupled to the processor, wherein the user interface receives one or more preselected conditions from a user". Claim 44 recites "performing a marine route calculation algorithm to analyze a course between a first location and the potential waypoint in view of preselected conditions received from a user", emphasis added. Furthermore, claims 1, 11, 23, 34, and 44 each now require the preselected conditions being "selected from the group of land, water depth, rock(s), sandbars, shelves, wind conditions, weather conditions, ice, underwater obstacles, and type of water bottom". Finally, claim 10 recites "the preselected conditions including a weather condition", claim 18 recites "the preselected conditions including a water depth", and claim 33 recites "the preselected conditions including an underwater obstacle".

In contrast, Fujimoto neither discloses nor suggests any of these criteria being used as preselected conditions. Rather, Fujimoto only discloses an automatic maneuvering system that can avoid docks and the like, and then only when the user specifically defines the docks for his system. As previously argued, no combination of Michaelson and/or Horvath discloses, suggests, or makes obvious "receiving one or more preselected conditions from a user". Nor does any combination of Michaelson and/or Horvath cure the defects in Fujimoto. Therefore, no combination of Fujimoto, Michaelson, and/or Horvath discloses, suggests, or make obvious the limitations of the currently pending claims.

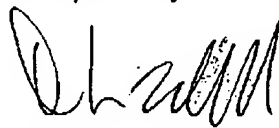
The remaining claims all depend directly or indirectly from independent claims 1, 11, 23, and 34, and are therefore also allowable.

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Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 501-791. In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

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